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8 **UNITED STATES BANKRUPTCY COURT**
9 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

9 In re)	Bankruptcy Case No. 10-64039
10 JAMES GIBBS,)	
11 Debtor.)	Docket Control No. ETL-1
12 JPMORGAN CHASE BANK,)	Chapter 7
13 NATIONAL ASSOCIATION, and its)	
14 successors and/or assignees,)	
15 Movant,)	
16 vs.)	HEARING DATE:
17 JAMES GIBBS, Debtor, and SHERYL)	DATE: March 1, 2011
18 STRAIN, Trustee,)	TIME: 1:30 p.m.
19 Respondents.)	CTRM: 11

20 **DECLARATION IN SUPPORT OF JPMORGAN CHASE BANK, NATIONAL**
21 **ASSOCIATION'S MOTION FOR RELIEF FROM AUTOMATIC STAY**

22 I, Wanda Chapman, declare:

23 1. I am a Vice President at JPMORGAN CHASE BANK, NATIONAL
24 ASSOCIATION ("JPMORGAN CHASE BANK, NATIONAL ASSOCIATION"). In the
25 foregoing capacity I have personal knowledge of the status and history of the JAMES GIBBS
26 ("DEBTOR") loan account, and if called upon to testify thereto I could and would do so
27 competently and truthfully.

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1 2. In my capacity as a Vice President, I have access to the business records of
2 JPMORGAN CHASE BANK, NATIONAL ASSOCIATION as they relate to the Debtor. The
3 records of JPMORGAN CHASE BANK, NATIONAL ASSOCIATION are made and kept in the
4 ordinary course of business by persons who have a business duty to make such records on behalf of
5 JPMORGAN CHASE BANK, NATIONAL ASSOCIATION. The records are made at or near the
6 time of the occurrence of the event or events of which they are recorded. I have personally
7 reviewed the records of JPMORGAN CHASE BANK, NATIONAL ASSOCIATION as they relate
8 to the Debtor herein. The records reflect the payments made, the payments missed, and all charges
9 accruing under the loan. Therefore, I am personally familiar with the status of the Debtor's loan.

10 3. **The Secured Debt.** On or about April 17, 2006, JAMES GIBBS made and
11 delivered a Promissory Note in the original principal amount of \$129,500.00, secured by a First
12 Priority Deed of Trust on the Property commonly known as 35572 TULE RIVER DRIVE,
13 SPRINGVILLE, CA 93265 ("Property"). True and correct copies of the Note and Deed of Trust
14 are attached as Exhibits "1" and "2," respectively.

15 4. **The Default Under The Note.** The Note and Deed of Trust are
16 contractually due for the February 1, 2010 payment. As a result of the default, JPMORGAN
17 CHASE BANK, NATIONAL ASSOCIATION desires to record a Notice of Default and Election
18 To Sell against the Property. The total delinquency under the Note is set forth in detail on Exhibit
19 "3" to the Motion.

20 5. **The Debtor's Interest In The Property.** The Debtor is the owner of record
21 of the Property.

22 6. **The Filing Of The Instant Petition.** On or about December 3, 2010,
23 JAMES GIBBS filed the instant Chapter 7 Petition as Case No. 10-64039.

24 I declare under penalty of perjury according to the laws of the United States of

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1 America that the foregoing is true and correct and that this Declaration is executed on January 24,
2 2011 in Florence, SC.

<u>/S/Wanda Chapman</u> <i>Signature of Declarant</i>	<u>Vice President</u> <i>Title</i>
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